FIFTY-SEVENTH YEAR

WEDNESDAY JULY 17 1907 SALT LAKE CITY UTAH

## PEOPLE DESIRED MACADAM ROADS

But First South Was Neatly Tricked Into the Use of Concrete-Asphaltum.

CHANGE MADE IN COMMITTEE.

Macadam Suburban Road Cheaper and Better, but Automobilists Prefer Asphaltum.

So the City Council Committee Blocks Wishes of Property Owners in Favor of Aristocrats.

The property owners on First South street, between Second East and Tenth East, are wiser but not richer, except in experience, from their recent encounter with the common council of Salt Lake City.

When they learned that First South street would be paved within a short time, the people living on that street began to hold meetings. They knew from the experience of the people on other streets that the ordinary cementconcrete asphalt pavement is excessively expensive besides being noisy. It was therefore suggested by a number of the residents along First South that what is known as a macadam pavement should be adopted,

CONTEST ABOUT ROAD MATERIAL Committees were finally appointed to

Committees were finally appointed to lay the matter before the council. It seems that a large majority representing about 4,500 feet of the abutting street property, endeavored to get a macadam pavement laid, while a minority representing about 1,600 feet of abutting property argued in favor of the cement asphaltum pavement.

The majority appointed a committee consisting of Messrs. Goshen, Keysor, Miller and probably another.

The minority appointed Messrs. James, M. Bamberger and Doremus. For some reason only the minority committee, each of whom spoke, was heard by the street committee of the council. The argument that seemed to be chiefly relied upon was that the cement-concrete and asphaltum road is the best for automobiles, and that the macadam road will not stand usage under the wheels of the heavier of these forms of road engines. This argument completely captivated the city council committee. The majority property owners were not heard in defense of macadam, and finally compromised with the minority committee in favor of Utah asphaltum.

THE MAJORITY DEFEATED.

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At all events, the majority did not get what they had resolved upon. Mr. Black of the council was especially active in defeating the macadam proposition. He was heard to say that he had had enough of macadamized streets. He lives on Sixth East, where one of the recent flascos with blue limestone macadam is in evidence. But he also said that he was opposed to all macadamized roads. The compromise on Utah asphaltum did not please him, and in the regular council he further attempted to substitute the California oil product called asphaltum for the real material called asphaltum for the real material found in Utah.

COST OF PAVING.

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It is now uncertain as to which kind of asphaltum will be used on First South. The contract for paving the street was not let because the bids were too high as compared with the estimates on which the assessments were based. The estimate of the city engineer was that the paving of this street with cement-asphaltum will cost \$11 per front foot on each side of the street, or \$14.652 per linear block to the abutting property owners, besides the city's propertion to be paid for by all taxpayers amounting to between \$3,600 and \$4.860 per linear block.

Some property owners preferred Utah asphaltum with a macadam base, at a cost of \$6.50 to \$8.50 per foot according to width. Others desired macadam at from \$4 to \$6 per foot.

CCMMERCIAL CLUB SUGGESTS.

COMMERCIAL CLUB SUGGESTS. The street-paving matter has been prominently before other organiza-

At a recent meeting of the good roads committee of the Commercial club, the merits of the best materials for acadamizing were carefully con-sidered, and recommendations were made sidersd, and recommendations were made that the city council be petitioned to investigate the qualities of the rock to be found in Dry canyon, where the city has extensive holdings of its own. It was also urged that the reports of the United States department of agriculture on the relative values for road-making purposes of the different classes of rock found here be especially considered, and that a practical test be made of the material referred to by the good roads committee. In a formal communication drawn up for presentation to the council, the latter was asked to investigate also the cemented gravel which is plentiful along the Davis county road.

RELATIVE MERITS.

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RELATIVE MERITS.

The relative merits of the various competing kinds of stone owned or offered by individuals or corporations, however, is not the question. The "News" has simply this to say on the merits of competing materials: that none should be used that has not been tested according to established methods and found worthy according to standards adopted by scientific investigators and the practical experts of the department of agriculture.

From all that can be learned, however, the proposition to use asphalt instead of macadam on the suburban streets, is not in the best interests of the people of this city, chiefly because, as shown above, the cost is so heavy that the property owners will scarcely be able to bear it. From the sanitary and social aspects a macadamized road of good material seems more satisfactory than any other pavement where the traffic is not heavy, for the follow-

tory than an, other pavement where the traffic is not heavy, for the follow-ing reasons:
1. It is less uoisy.
2. It gives a little to the horses' feet and is therefore less injurious to the animals.

animals.

3. Its dust is less offensive than that from asphaltum streets. Of course, the biue limestone dust from the recent failures condemned in this paper may be just as bad as any other kind. Macadam dust is generally less offensive because the asphaltum is impervious to moisture, dries quickly after rain or sprinkling; while the macadam pavement absorbs some water,

remains moist much longer, and so keeps the didst from rising.

4. The rattle of the horses' hoofs, wagons, etc., on harder pavements is a severe trial to the nerves of most people and this evil is lessened by the macadam.

5. The horses slip more on the asphalt in the winter.

6. The asphaltum gets from 8 to 11 degrees warmer in summer than a inacadamized road, varying with the dampness of the macadam. This effect is felt most at evening, and keeps the streets in some cities warm all through the night.

the night.

7. The cost of macadam is about one-half that of asphalt here; but in the east, for some reason, the macadam is still less expensive—in some places about one-third that of asphalt, LOCALITY GOVERNS KIND.

But these remarks apply only to sub-urban streets with light traffic. In the business centers, macadam would wear business centers, macadam would wear down producing dust, and requiring frequent renewal. Cement and asphaltum seem to be the best for our business streets; hard stone macadam, for the others. The best rocks for macadam are traps or dike-stones, technically known as diabases and diorites. We cannot be supplied with these. Grante rocks are undesirable. Limestones are generally too soft. Quartz wears out rapidly. Since we have not the best material, we must choose among the second bests; and the government tests made in advance are our most trustmade in advance are our most trust-worthy guides. Unfortunately, we have never taken the trouble to have any such tests made, and the engineer meekly explains that he has no authority to make tests of rock material.

ity to make tests of rock material.

Noise is a great consideration.
Rough surfaced pavements are noisy
under traffic, and insufferlable to nervous invalids. Noisy roads tend to
reduce the rental value of buildings,
especially of those used for office
work. We have not yet adopted any
rock pavements and are thus far
spared most of the noise. But durability and dust qualities are next in
seriouspess. In this respect, we are
most unfortunate. Miles of soit stone
dust-producing, uncemeting, impropmost unfortunate. Miles of soit stone dust-producing, uncemeting, improperly laid, and apparently without actual supervision, are being laid at a cost of hundreds of thousands of dolars to the taxpayers for roads, relatively worthless. The final disposition of the following pertinent resolution will be watched with interest by the taxpayers:

THE IGNORED RESOLUTION.

Following is the text of the city ouncil resolution No. 69 by Mr.

"Whereas, The lime rock taken from the Pascoe quarries which has been used in macadamizing Sixth East street is totally unit for that purpose, being soft and mushy and easily wash-

being soft and mushy and easily washed away; and
"Whereas, The pavement on said street is a failure in consequence of the use of said material; and
"Whereas, The property owners are now contemplating the repaving of said street by surfacing same with asphaltum; therefore be it
"Resolved, That the board of public works be instructed to discontinue the use of the said lime rock now being taken from the Pascoe quarries for macadamizing the streets, and further

"Resolved, That they be instructed

"Resolved, That they be instructed to make such arrangements for other and more suitable material to be used in macadamizing First and Second avenues, the contracts for which have already been let."

Presented to the city council and referred to the committee on streets and engineer, May 27, 1907.

# CRISIS REACHED IN KOREAN AFFAIRS

The Premier Has Requested the Emperor to Resign in Favor Of Crown Prince.

HAGUE DELEGATES THE CAUSE

Boldly Pointed Out Necessity of Abdication and Of Apologizing to Emperor of Japan.

Seoul, July 17 .- The Korean premier has asked emperor to abdicate because of action in sending deputation to The Hague.

Following a cabinet meeting yesterday which lasted four hours, the premier had an audience with the emperor in the evening continuing for three hours. It has transpired that the premier made a strongly-worded representation of the gravity of the situation caused by his majesty's sending a deputation to the peace conference at The Hague. He boldly pointed out the necessity for the emperor's abdication in favor of the crown prince, and of his proceeding

crown prince, and of his proceeding to Tokio and apologizing to the emperor of Japan. The Korean emperor made no definite reply.

On retiring from the palace, the premier immediately called another cabinet meeting which lasted until 2 o'clock this morning. The cabinet is determined to definitely decide on Korea's attitude today, or by the time of the arrival of Viscount Hayashi, Japanese foreign minister. It is believed that the ministers will insist on the abdication of the emperor, at all risk.

The Il Ching Hoi, Progressive asso-

risk.

The Il Ching Hoi, Progressive association, which is supporting the present cabinet has officially applied to Marquis Ito to help save Korea from the grave consequences of the emperor's action against Japan.

It is reported that the emperor has withdrawn 400,000 yen deposited in the bank of Shunghai.

It is not considered likely that the emperor will yield to the demand of his abdication without a struggle.

Despite the perturbation and excitement of the court and cabinet, the populace generally is calm. Even the anti-Japanese association has issued a manifesto urging the necessity of a peaceful, prudent attitude at this critical stage of the situation. The emperor, in the opinion of close observers, has alienated popular affection.

tion.
Tokio, July 17.—Although Korea is under an absolute monarchy, the democratic custom has existed since olden days of demanding the retirement from the throne of a sovereign.

SEARCHING PENAL INSTITUTIONS

New York, July 17.—A searching investigation of all the penal institutions of the state, the Herald announces today is to be made by Gov. Hughes. Startling revelations are predicted which will show an immediate need for reform. Convicts, it is stated, have made many charges, and these are said to be responsible for the governor's action.

#### INSTRUCTOR STRANE OF UNIVERSITY DEAD.

St. Paul, July 17.-James A. Strane, an instructor in the University of Utah at Salt Lake City. Minnesota river near Fort Snelling last night. Strane, who has been spending his vacation with his parents in this city, was canoeing on the Minnesota with a companion. The cance was overturned and Strane was drowned. His companion was rescued by a fisherman.

Mr. Strane was foreman of the machine shops at the Univehsity. He was a graduate of the Mechanics Arts school, St. Paul, and was a student at Cornell in 1900-1903,

### . GREEK PEONAGE.

War On a Supposed System Opened by

The Government. Chicago, July 17.—War on a supposed system of Greek peonage has been opened by the government. Properietors of Greek shoeshining parlors, ice cream parlors and restaurants who lure boys from Greece to America and here keep them in practical slavery, will be called to account.

called to account.

Evidence involving a number of Chicago Greeks has been forwarded to Dist. Atty. Sims by the bureau of immigration at Washington, and wholesale indictments against offenders are promised by federal officials. In addition to the evidence by the Washington officials, a mass of evidence, it is said, already has been gathered in Chicago by Aloideulisa Sarephic, United States immigration inspector, who was commmissioned by the bureau to make a special investigation here.

The entire system through which thousands of boys are said to be sold into slavery will be unfolded to the federal grand jury, which will reconvene

## ral grand jury, which will reconvene STOVEPIPE CLEANER.

Patent for One Issued to Henry O

(Special to the "News.")

Washington, D. C., July 17.—A patent for a stovepipe cleaner has been issued to Henry O. Sholdebrand, Salt Lake City.

Joseph P. Guild has been appointed postmaster at Urie, Uinta county, Wyoming, vice, Edwin Eyre, Jr., re-

### THE BUTTER TRUST.

Fails to Get an Injunction Against an Independent Dealer.

Independent Dealer.

Chicago, July 17.—A dispatch to the Tribune from Detroit, Mich., says:

It was announced in the United States district court here yesterday that a butter trust exists in Michigan, known as the American Farm Produce company, and capitalized at \$19,000,000. Attorneys from Chicago, New York, Owosso, Saginaw, and other cities of the United States in court asked that Eben F. Dudley be restrained from engaging in the butter and creamery business at Saginaw.

inaw.

Dudley, through his attorneys, straightway made a claim that the company is a trust.

Lawyers for the American Farm Products company stated during the day that Dudley had sold out his business at Owosso and Saginaw in 1896 and had promised not to engage in business again, and they asked that permanent injunction be issued restraining him from doing business and that he had agreed to refrain from do-

that he had agreed to refrain from do-Attorneys for Dudley said that their client had been forced to either sell at the trust's price or be put out of business and that the trust had broken an agreement to pay him \$12,000 a year Judge Swan denied the petition for

### JEALOUS HUSBAND'S DEED.

T. O. Gholston Kisses His Wife and Then Cuts Her Throat.

Fort Smith. Arkansas, July 17.—At their home here last night, T. O. Gholston, a well-known educator, kissed his wife and then cut her throat, killing her instantly. The cause of the murder was jealousy. Gholston the murder was jealousy. Gholston was placed under arrest.

# MEMORABLE EVEN FOR UTAH MASONS

Masonic Silver Trowel, on Trip Around the World, Due to Arrive Here August 7.

(Special to the "News.")

Cheyenne, Wyo., July 17 .- The Masonic silver trowel, on a trip around the world, which came here from Denver about six weeks ago, and since has been with Cheyenne lodge No. 1, and Acacia lodge No. 11 A. F. & A. M. will go to Salt Lake City on Aug. 7. will go to Salt Lake City on Aug. 7. A team will accompany the traveler, together with a large number of wise Masons. The party will charter a special train and will spend deveral days in Salt Lake City.

The receipt of the trowel in Salt Lake City will be the occasion for the gathering of prominent Masons from all parts of that state, and the event will be a memorable one in Utah's Masonic history.

### TRAIN DITCHED.

Engineer of North Coast Limited on Northern Pacific Found Dead.

Butte, Mont., July 17.-The North Coast Limited, westbound, the crack flyer of the Northern Pacific railway, was ditched three miles east of Garrison this morning about 4 o'clock. Two baggage cars, the smoker and a day coach left the rails. The locomotive overturned, and in the cab, his hand upon the sand pipe valve and the brake lever, was found Engineer James Graham of Butte, dead at his post. Nobody else was injured. The cause of the accident has not been learned. The train was righted later and hauled back to Garrison.

## SUR-REBUTTAL WILL BE SHORT

Judge Wood Will Not Limit Attorneys in Their Arguments in Haywood Case.

WILL INCREASE COURT HOURS

O. M. Sackett Told of Troubles at Smuggler Union Mine and Agreement With St. John.

He Was Engaged in "Escorting" "Undesirable Citizens" Out of District -Law of Self-Defense.

Boise, Ida., July 17 .- Rebuttal evidence in the Haywood trial will be concluded this afternoon and as the case now stands it is quite likely that the defense will also close its case. Argument may begin on Friday.

O. N. Sackett, one of the officials of the Smuggler-Union mine at Telluride, Colo., was the one witness under examination this morning. He gave an interesting account of the condition existing in Telluride from 1901 to 1904, and leading up to the declaration of martial law. An interesting piece of documentary evidence univoluced by the state was a written agreement entered into in 1901 between Edward Collins, manager of the Smuggler-Union mine and Vincent St. John, president of the local union of the Western Federation of Miners. Under this agreement St. John agreed to stop the attacks upon the Smuggler-Union mine and agreed between himself and Mr. Collins. Under cross-examination Sackett was unshaken. He justified the action of the citizens in taking the law into their own hands prior to the arrival of the militia and described the conditions as contrary to the well being of peace loving citizens. the Smuggler-Union mine at Telluride,

loving citizens.

Boise, July 17.—On the opening of court this morning at 9:30, Atty. Richardson notified the state that the defense desired three of the state witnesses to remain in town. Judge Wood amounced that prior to the opening of argument he would notify counsel as to the main points in the evidence on which he would instruct the jury. Clarence Darrow, for the defense announced the sur-rebuttal for the defense would be very short. loving citizens. Boise, July

LENGTH OF ARGUMENTS LENGTH OF ARGUMENTS.

Judge Wood said that while he would not limit the attorneys in their arguments, he probably would increase the court hours so as to et through as quickly as possibly. The lawyers were inclined to protest at this, Mr. Hawley, for the state, announcing that he had been anything but well during the past few days. He said he might have to temporarily abandon the examination of witnesses if he felt no better. The matter of arranging the hours for argument was finally left in abeyance.

O. M. SACKETT.

O. M. Sackett, of Telluride, Colo., for O. M. Sackett, of Telluride, Colo, for 15 years an employe of the Smuggler-Union mine, was the first witness of the day. He told his personal experience in the big riot at the Smuggler-Union in 1901 when he said he and several other employes of the mine were compelled to run a perfect hail of bullets in order to get to the mine. "Who was the head of the union in Telluride at that time?" select Henry Telluride at that time?" asked Haw

"Vincent St. John." The witness next told of negotiat-ing with St. John to have the firing stopped and reaching an agreement

with him.

The defense objected to several of Mr. Hawley's questions and Judge Wood sustained them.

"I will say," said Judge Wood, significantly, "that the court regards as very doubtful the materiality of the testimony the state is trying to rebut."

Mr. Hawley said he thought that as the defense had been allowed to go into the matter of deportations, etc., from Cripple Creek and Telluride, the state would be allowed to make a showing on rebuttal.

"The court will not allow you to go into detejls," said Judge Wood,

"In that case," replied Mr. Hawley,
"I will assume what the court's instructions will be as to this testimony,"

"We will see as to that when we come to it," chimed in Darrow.

AGREEMENT WITH ST. JOHN. AGREEMENT WITH ST. JOHN.

The witness was allowed to state that as a result of the negotiations he had with St. John an agreement between Edgar A. Collins, assistant manager of the mine, and \$\mathbb{\text{L}}\$. John of the union, was drawn up and signed. The agreement, when offered in evidence, was objected to by the defense. Judge Wood after considering the matter for some little time, decided to admit the paper, and it proved probably one of the most interesting and important exhibits of the trial. It was dated July 3, 1901, and in it the Miners' union agreed to "refrain from violence" for three days. The agreement was in part as follows: "It is hereby agreed between the \*\*\*\*\*\*

## ADVERTISERS

# Pioneer Edition

Of the Descret News to be issued Wednesday, July 24, are assured \$ of an enormous extra circula- \$

### HOME MANUFACTURERS

Will find this an especially valuable medium for setting forth the merits of their goods to the ? consumers of the great west.

NEWS AGENTS

Are requested to place orders early for extra copies desired.

Miners' union, by V. St. John, president, and the Smugler-Union M. S. company, by Edgar A. Collins, assistant manager, that all work on said mine shall cease for a period of three days ending Friday, and that said miners' union will refrain from violence as to person and property for the same period. The said Smuggler-Union mine may employ four guards during the period."

may employ four guards during the period."

The witness then told of the killing of Arthur Collins, superintendent of the mine, the disappearance of several niners in the disappearance of several niners in the district and various disorders. He said the men were afraid to work, that many of these were shot on their way to the mines, and it was because of these conditions that troops were brought into the district and martial law proclaimed.

On cross-examination Sackett said the trouble in 1901 lasted only three days. Then the agreement went into effect and the matter was sattled.

"And everything continued peaceful in the district until late in 1903, didn't it?" asked Richardson.

ARMED NEUTRALITY.

ARMED NEUTRALITY.

"Well, there was a sort of armed neutrality."

"Well, there was a sort of armed neutrality."

"In the trouble of 1901, do you know which side fired the first shot?"

"I could only give hearsay evidence as to that."

Atty. Richardson read to the witness and the jury another agreement entered into on July 6, 1901, by the Smuggler-Union mine and the miner's union. It set forth that the differences, between the mines and the union had been amicably adjusted, the union expressing its "entire disapproval of the recent outrages" and agreeing not to molest union or non-union workers.

"Now that agreement continued in force and effect from July 6, 1901, up to the general strike of 1903 didn't it?"

"Ostensibly," replied the witness.

DEPORTATION OF MEN.

DEPORTATION OF MEN.

Sackett next was asked as to the part played in the deportation of men from the Telluride district. He said he helped "escort" out of town members of the union who were recognized as agitators and who had prevented peaceable citizens from going to work.

As to the deportation of the merchant. Mr. Flotan, who sympathized with the union, Sackett said he took no part.

"But I knew they had him," he added.

added.
"You saw him marched barefooted and without coat or hat for many blocks over the frozen ground and held for hours in a vacant lot, didn't you?
"No, his wife had brought his shoes when I saw him."
"You made these deportations without any authority of law dodn't you?"

LAW OF SELF DEFENSE. "We had the law of self-defense," re-plied the witness. The Citizens' alliance met the night

the deportations began. Asked if this alliance wasn't composed of gamblers, merchants, bankers and others who had been boycotted by the union, the witness said he could not agree to any

ness said he could not agree to any such proposition.

"What was it composed of, then?"

"It was composed of all persons who desired to see the mines in operation, who desired to live there in peace without having their lives taken and who wanted to work and let others work."

Asked if men of family and property owners were not deported. Sackett said:

"Some men were temporarily deported who ought not to have been, but they were allowed to come back."

"Was Flotan allowed to come back."

"No, sir."

"No, sir."

"He is not even allowed to go back now, is he, despite the fact that he owns much property there?"

"I don't know as to that."

EFFECT OF DEPORTATIONS.

The witness said that since the deportations everything had been quiet and satisfactory in the district.

"And you have a local of the Western Federation of Miners with over 500 members, haven't you?"

"I've heard something about a union there, but I don't know of it." Sackett could remember the names of only two men who were killed during the Telluride troubles,

"If Flotan and others were interfering with the peace why didn't you appeal to the court?" demanded Atty.

ppeal to the court?" demanded Atty Richardson,
"We had tried that for years and found it futile."
Flotan, the witness said, made several speeches and supplied the "undestable element" with goods from his store

his store.
"And that's all there was against him, wasn't it?"
"I don't know."

"I don't know."
"As a matter of fact, Flotan was an advocate of the doctrine of non-resistance, wasn't he, and believed that when smitten on one cheek he should turn the other?"

"I never saw him do it," replied the tness amid laughter. Flotan, he said, was known as a Soialist.

As the luncheon recess until 1:30

m. was ordered, Judge Wood anounced that if possible he desired he state to close its rebuttal case dur.

ing the afternoon,

# KARL HAU'S TRIAL FOR MURDER BEGINS

It Took Just Ten Minutes to Secure a Jury to Try

Him.

Karlsruhe, Germany, July 17 .- The rial of Karl Hau, charged with the murder of his mother-in-law, Frau Moitor, in Baden Baden, on the evening of Nov. 6, 1906, began in this city to-

Hau was at one time professor of Roman law in George Washington university, Washington, D. C. He practised law in Washington up to the time of his going abroad with his family about a year ago. After the alleged murder he fled to London, where he was taken into custody. Later he was returned to Germany and as many peo-ple claimed he was insane, the ques-tion of his mental condition was thor-oughly investigated with the result that was formally declared to be in his

right mind.

Mrs. Hau committed suicide by drowning in June of this year, leaving a farewell letter in which she said she could no longer bear the sorrow of living apart from her busband.

It was once reported that Hau had confessed to the murder of Frau Molitor, but this was later denied.

While Hau chatted cheerfully with his counsel, the newspaper men present crowded around the green table fronting the judge's bench to inspect the gruesome exhibit of Frau Molitor's heart in a glass vessel filled with alcohol. There is a gaping wound in the center.

The election of a jury from a venire of 28 men. of which each side could reject seven, occupied only 19 minutes. Afterward a list of more than 70 wit-nesses and 19 experts to be called, was

for three hours. Hau pleaded not guilty to the charge against him, but he ad-mitted having been in Baden Baden the night the tragedy occurred.

#### THE ELKS HAVE A MASSED BAND PARADE.

Philadelphia, July 17 .- A massed band parade with all the bands playing the same music at the same time, one of the three big features of Elks' week, took place on Broad street, Every musical organization participating it

musical organization participating in the reunion, numbering more than 40 bands with 1,560 members, was in line. The musicians formed at Broad street and Fairmount avenue and were arranged according to the instruments. The music played was "The Twenty-first Reunion," which had "The Girl I Left Behind Me," "Home, Sweet Home," and "Auld Lang Syne," as its general theme with beautiful elaborations.

The route was south on Broad street The route was south on Broad street The foure was south on Broad street through the court of honor to South street, where the massed bands were dismissed. Fifty reviewing stands along the two mile route were crowded and the streets were jammed with a crowd

such as Broad street has seldom seen.
The day was exceedingly sultry flut the perspiring throngs cheered the ag-gregation of musicians as they passed lown the street. The contrast in costumes was ludic the contrast in costumes were fudic-rous. At the parade could be seen the dazzling costume of some crack regimental musical organization by the side of more modest costumes of a vil-lage band.

lage band.

After the parade most of the visiting Elks and their ladles went to the parks and about in the city where special entertainments had been provided. The drill contest will be held tonight.

#### MARK TWAIN SENDS A WIRELESS MESSAGE.

London, July 17 .- The following wireess despatch by way of Crookhaven from the Atlantic Transport line steam-

from the Atlantic Transport line steamer Minnetonka and signed "Mark Twain," has been received by the Associated Press:

"Left the Channel Sunday, at 1:30 in doubtful weather and sighted the Seilly Islands ten miles off. At six o'clock ran into a dense fog which broke into pathos during the night.

"At five a. m. Monday the fog had thickened and the ship was crawling along slowly. At 6:39 a barque suddenly loomed up and lost her bowsprit by dragging along our side.

"We received very slight damage. The barque was coming for our broadside, but prompt action on both sides prevented a direct collision.

"The barque disappeared in the fog.

"The barque disappeared in the fog. We saw her twice during a three hours hunt but she was so quickly enveloped in the fog that we could not speak her, so we resumed our trail.

"All well. "MARK TWAIN."
The Minnatonka, on board which
Mark Twain is a passenger, sailed July
12 from London for New York.

THE LONGWORTHS IN PORTLAND Portland, July 17.—Mr. and Mrs. Nicholas Longworth arrived here from Yellowstone park about 11 o'clock last night and left three-quarters of an hour later for San Francisco, where they will take steamer Siberia for Hono-

# COMMITTEE FOR AMERICAN IDEA

Votes Twenty-one for Eleven Against Inviolability of Private Property at Sea.

MANY NATIONS OPPOSE IT.

They Are Great Britain, France, Russia, Japan, Spain and Portugal-Triple Alliance For It.

The Hague, July 17 .- A vote upon the principle of the American proposition regarding the inviolobility of private roperty at sea was taken today by the ommittee of the conference dealing with the Geneva convention. Twentyone delegates voted favorably, 11 were against the measure and there was one absentee. Great Britain, France, Russia, Japan, Spain and Portugal were in opposition, while the tripple alliance, alhough Germany made a reservation,

as among the majority. Belgium presented a compromise proposal, but Joseph H. Choate of the American delegation, refused to accept it, saying that inasmuch as a majority admitted the principle of immunity, he could not consent to the limitation of

could not consent to the limitation of this idea, especialy as Great Britain and Russia already had declared they would not accept it in any form. This made unanimity impossible.

Prof. De Martens, (Russia), who presided at the meeting, called attention to the fact that although the American proposition was supported by a majority of the votes passed, populations of the countries voting against the principle was numerically largely in excess of those favoring it.

Marey Von Kapos Mere (Austria) and Count Tornelli (Italy) followed the example of Baron Marschall von Bieberstein (Germany) in their reference to example of Baron Marschall von Bieberstein (Germany) in their reference to the British proposition regarding the limitation of armaments which is to be presented by Sir Edward Fry at the next plenary sitting of the conference. This places Signor Tittoni, the Italian minister of foreign affairs, in a somewhat embarrassing position; he is personally in favor of the British proposal, but he cannot ignore the attitude of his allies in the triple alliance. The United States and Spain favor the English views on this matter. M. Nelidoff, however, does not think that Russia can support the idea of limiting armaments at present in view of the condition today of her army and navy as a result of the Russo-Japanese war. M. Bourgeois (France) personally favors limitation, but the French government regards this question as academic and

regards this question as academic and impracticable. MISSOURI AND KAW RISING.

Missouri And RAW RISING.

Kansas City, July 17.—The Missouri and the Kaw rivers here continue to rise slowly but the water is being carried off naturally and aside from a few washouts and flooding of lowlands, no serious damage has been reported in the past 24 hours. The stage of the Missouri this morning was 22.3. The weather observer this morning predicted a further rise tomorrow and probably Friday, when it is believed the water will begin to recede. It is not believed that a stage of 24 feet will be passed. The presiding judge examined Hau | be passed

## **BIG CONTROVERSY BEGINS TO LOOM UP**

State Department Concerned Over the Newfoundland Fisheries Question.

THERE IS NO MODUS VIVENDL

It Will Be Difficult to Come to Any Satisfactory Arrangement Of the Trouble.

Suggested Matter Be Referred to Hague Tribunal-Would Have to be Carefully Safeguarded Then.

Washington, July 17.-The approach of the first of August marking the beginning of the new herring fishing season upon the coast of Newfoundland is a matter of great concern to the state department for it finds the fisheries controversy between America and Great Britain in a most confused and unsatisfactory shape. The modus vivendi entered into last year, by the terms of which, and greatly against the wish of Newfoundland, American fishermen were permitted to ply their vocation unmolested off the scores of that island, expired with the close of the fishing season.

NEWFOUNDLANRERS INSISTENT. It was the expectation of both the American and British governments that before the opening of the next season some permanent arrangement could be reached that would prevent future friction on this score. Newfoundlanders, however, were insistent upon their rights to legislate locally for the fisheries so long as they did not in terms discriminate against Americans, claiming that in so doing they were not interfering with the/treaty rights of the Americans. The British government has apparently been driven finally to concede the soundness of this conten-tion, or at least, it has been negotiat-ing through Ambassador Reid on that

SETTLEMENT DIFFICULT.

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Indications today are that it will be difficult to reach any kind of permanent settlement of the trouble and the whole effort of the negotiators is apparently concentrated for the moment upon the drafting of some form of medus vivendi to guard against the development of friction upon the fishing shores that might in the end have serious results. Thus for instance, it is said the insistence of the Newfoundlanders upon their right to prevent their fishermen from selning upon the Gloucester smacks that use purse seines off the coast of the island, would probably prove fatal to the industry so far as the Americans are concerned, because the expense of shipping large crews in Massachusetts at high wages would be prohibitive.

The Newfoundlanders also are insisting upon the prohibition of the purse seines entirely. It is already forbidden to their own people, so they assert that there is no discrimination involved in making the Americans abandon its use. But the latter assert that it is not possible profitably to operate fishing smacks with their expensive crews and outfits without the purse seine, and that as they have always enjoyed the right to use them, the attempt to deprive them now, by legislation, of such right, would be in violation of the privileges conveyed by treaty.

SITUATION RATHER DELICATE.

The fact is that the occasion is one that calls for much mutual concession if there is to be a new modus vivendi, and the Newfoundlanders are not anxious that there should be, until they have sufficient assurance that they have a satisfactory perspanent settle. they have sufficient assurance that they have a satisfactory permanent settlement. To that end they have suggested a reference of the whole subject of conflicting treaty rights to the permanent Hague tribunal. Our own government is not averse to some such proposition under proper limitations as to the scope of the arbitration, which must be carefully guarded lest it set a precedent which might have a dangerous influence upon the question of the existing national treaty and state rights in the United States as involved in the San Francisco-Japanese matter. rights in the United States as involved in the San Francisco-Japanese matter. But it is said at the state department that up to the present moment there has been nothing to indicate that the government of Great Britain itself is willing to accept the Newfoundland suggestion as to arbitration, and it is therefore giving most of its attention to the subject of the modus vivendi.

### TAMMANY LEADERS DEFINE DEMOCRACY,

New York, July 17.—District leaders and 2,000 members of the general committee of Tammany Hall met at the Wigwam tonight and acopted resolutions defining Democracy as the application to political institutions of the divine injunction to the first man "in the sweat of thy face shalt thou eat bread;" and touching upon affeirs political of local, state and national importance.

The resolutions were presented for the executive committee by Congressman W. Bourke Cockran.

The resolutions which were adopted amid a tumult of appliause reaffirmed the definition of Democracy as declared by Tammany on March 4, 1906, and embodied in the Democratic state painform of last year. They set forth that man is entitled only to what he produces and the trusts are condemned in that they have reaped where they have not sown. Concerning the tariff it is declared that duties levied upon articles that can be produced here cheaper than elsewhere are without justification or defense.

"This organization," the resolution continues, "views with profound distress and serious alarm an unmistakeable decline of the courts in popular respect and confidence and we believe that if this decline he not arrested, the ruin of republican institutions is inevitable."

Delays in court procedure are sharply attacked as making almost hopeless the advantageous conclusion of the suit of a poor litigant against a wealthy man or corporation.

Although not stated in the resolutions, it was subsequently intimated that the

poor litigant against a wealthy man or corporation.

Although not stated in the resolutions, it was subsequently intimated that the reference to court delays was inspired by the slow headway made in the election contest case of William R. Hearst against Mayor McClellan.

The Republican legislature is denounced for permitting apportionment legislation to await the adjustment of personal disnutes among Republican leaders.

The purpose of tonight's meeting was known only to the executice committee until the gathering was called to order. It had been rumored that Mayor McClellan was to be read out of the party, but no personal attack upon the mayor or the faction represented by him was made